

tained his final discharge; his son George H. Williams being appointed his permanent trustee. At the time of said application, the insolvent in his schedule stated, that he held one hundred and seventy-five shares of the stock of the Savage Manufacturing Company; of which, fifty-five shares were unincumbered, eighty-five were mortgaged to Birckhead and Pearce, and thirty-five were mortgaged to Martha Weld. The unincumbered shares were sold by the trustee at public sale, and those mortgaged to Birckhead and Pearce were advertised for sale, though no sale of them was made; and the interest of the mortgages in them was subsequently assigned to John S. Gittings. A bill was afterwards filed by the wife of the insolvent, claiming seventy-five of the last mentioned shares as having been purchased with her money, and placed to the credit of John Hawkins, (whose administrator united in her suit,) in trust for her benefit; and a decree was passed in said cause in her favor. This claim was resisted by the present complainants, who also filed their bill against said Elizabeth Williams and others, for the suspension of the proceedings instituted by her, and seeking to enforce claims which they professed to hold against the insolvent, out of the said mortgaged shares; on the ground, that the said shares were bought by the insolvent with his own money, and although conveyed by him to said Hawkins, for the use of his wife, he had done this to defraud his creditors, and had himself always exercised acts of ownership over the property. The claim of said complainants having been resisted, and finding it necessary to examine George H. Williams, the permanent trustee, one of the defendants, and to have the books and papers of the insolvent, who was not a party, produced by said trustee, in whose possession they were, they petitioned for an order for that purpose, which was granted at first, but was subsequently suspended, as to the production of the books and papers, and the matter of the petition set down for hearing. Upon which the Chancellor delivered the following opinion :]